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Patent Docket P1937R1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of Lynne Ann Krummen et al. Serial No.: 10/715,270 Filed: November 14, 2003 For: INTRON FUSION CONSTRUCT AND METHOD OF USING FOR SELECTING HIGH-EXPRESSING PRODUCTION CELL LINES | Group Art Unit: 1638 Examiner: To Be Assigned Confirmation No: 4580 Customer No: 09157 CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Dated: <u>9-23-04</u> <u>Pam Golden</u> Pam Golden |
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REQUEST TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48(a) (1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby request, under 37 C.F.R. § 1.48(a), correction of the inventorship named in the above-identified application to indicate the proper inventorship. Pursuant to 37 C.F.R. § 1.48(a)(2), Applicants submit herewith a Statement of Vanessa Chisholm who was erroneously omitted as a named inventor. The Statement establishes that such omission occurred without deceptive intent. Lynne Ann Krummen, Amy Yijuan Shen and Vanessa Chisholm are the properly named inventors of the claimed subject matter in the present application.

A Combined Declaration and Power of Attorney executed by all the properly named inventors, pursuant to 37 C.F.R. § 1.48(a)(2) is submitted herewith. A Supplemental Application Data Sheet reflecting the change in inventorship is also enclosed herewith. Being sent separately by facsimile is an executed assignment from inventors to Genentech, Inc., the assignee of the above-identified application.

Applicants further submit herewith a Consent of Assignee pursuant to 37 C.F.R. § 1.48(a)(5) providing the written consent of Genentech, Inc. to the correction of inventorship requested herein.

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Serial No. 10/715,270

Applicant hereby authorizes the Commissioner to charge Deposit Account No. **07-0630** the processing fee of **\$130.00** set forth in 37 CFR 1.17(i). Any deficiency of overpayment should be charged or credited to this deposit account. **A duplicate copy of this Request is enclosed for this purpose.**

Respectfully submitted,

GENENTECH, INC.

Date: 9/23/04

By: Cara Coburn
Cara M. Coburn
Reg. No. 46,631
Telephone No. (650) 467-6222



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CONSENT BY ASSIGNEE TO CORRECTION OF INVENTORSHIP

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The assignee of record, Genentech, Inc., hereby consents to the
correction of inventorship filed herewith.

Respectfully submitted,

GENENTECH, INC.

Date: 9/22/04

cc By: [Signature]
Jeffrey S. Kubinec
Reg. No. 36,575
Telephone No. (650) 225-8228

Jeffrey S. Kubinec
Section Patent Counsel
Genentech, Inc.
Authorized Corporate Signatory

AUTHORIZATION



Genentech, Inc. hereby authorizes any of Janet E. Hasak, Mark T. Kresnak, Jeffrey S. Kubinec and Timothy R. Schwartz, for so long as they remain employees of Genentech, Inc., to execute, on its behalf, any submissions associated with the filing, prosecution, granting, and extension and maintenance of grant of patent and trademark applications in the U.S. and foreign countries, contracts relating to biological deposits with the American Type Culture Collection, and assignments to publishers of copyrights covering works authored by Genentech employees.

August 27, 2002

Dated

Sean Johnston

Sean A. Johnston
Vice President, Intellectual Property
Genentech, Inc.



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STATEMENT IN SUPPORT OF REQUEST
TO CORRECT INVENTORSHIP UNDER 37 C.F.R. §1.48(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Vanessa Chisholm, hereby say as follows:

1. I am aware that the above-identified application was filed on November 14, 2003 and that the originally named inventors in the application included Lynne Krummen and Amy Yijuan Shen.

2. I believe in good faith that I was erroneously omitted from the named inventorship in the above-identified application without any deceptive intent on my part.

Date: 9/19/2004

By: Vanessa Chisholm
Vanessa Chisholm